

STATE OF CALIFORNIA
STATE AND CONSUMER SERVICES AGENCY
CALIFORNIA BUILDING STANDARDS COMMISSION
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Office Use Item No. _____

PARTICIPATION COMMENTS FOR THE NOTICE DATED FEBRUARY 20, 2013.
Written comments are to be sent to the above address.

WRITTEN COMMENT DEADLINE: APRIL 5, 2013

Date: April 5, 2013

From:

Roger Richter

Name (Print or type)

(Signature)

California Hospital Association

Agency, jurisdiction, chapter, company, association, individual, etc.

1215 K Street, Suite 800, Sacramento, CA 95814

Street

City

State

Zip

I/We ☒ (do) (do not) agree with:

☒ The Agency proposed modifications As Submitted on Section No.

California Mechanical Code
Sections: 217.0; 407.2.1; 407.4.1;
407.4.1.1; 407.4.1.4; 602.1;
~~602.3.1.~~

and request that this section or reference provision be recommended:

California Plumbing Code Sections:
217.0; 604.1; 609.9; 612.0; 612.2;
701.0; 701.1; 701.1.2.1; 906.2.1

☒ Approved ☐ Disapproved ☐ Held for Further Study ☐ Approved as Amended

Suggested Revisions to the Text of the Regulations:

No revisions. Reasons for support: (see attached).

Reason: [The reason should be concise if the request is for "Disapproval," "Further Study," or "Approve As Amended" and identify at least one of the 9-point criteria (following) of Health and Safety Code §18930.]

Reasons for support:

With the national and state focus on reducing health care costs, while ensuring quality of care, it is essential that health care services be delivered in the appropriate health care setting. (BSC Criterion 3) The proposed standards for OSHPD 3SE allow licensed primary care services, which are equivalent to the type of services delivered in a private physician's office, to meet the same building codes as would a physician's office. There has never been a concern raised about the long-standing code requirements for buildings in which physician services are provided. (BSC Criterion 3)

To ensure the proposed OSHPD 3SE regulations are not unreasonable, arbitrary, unfair and capricious, they are based on the national Guidelines for the Design and Construction of Health Facilities, 2010 edition. (BSC Criterion 4 and BSC Criterion 7)

By being equivalent to a physician's office, licensed clinics would not be required to have: OSHPD-specific domestic water disinfection; redundant domestic hot water systems and would allow for the use of ABS, and PVS for sanitary drainage piping. OSHPD projects a substantial savings for primary health care facilities by eliminating these requirements. (BSC Criterion 5)

Currently, if a licensed clinic is in the same building with private physician offices, they would provide the equivalent primary care services, however, the clinic would have to meet higher building code standards. This unfairly places a higher cost on licensed clinics and can result in some rural and inner city licensed clinics from being unable to open for service without meeting expensive code upgrades while a private physician's office could currently move into the same building without any or minimal code upgrades.

OSHPD 3 services, which include clinical, surgical and other invasive procedures, would not be affected by these proposed changes and would still be required to maintain the higher OSHPD 3 code standards. OSHPD limited services in OSHPD 3SE buildings to services that the California Department of Public Health Licensing Program believes are suitable for the primary clinic setting. While OSHPD is responsible for health facility building code issues, CDPH is responsible for operational issues. By OSHPD basing the allowed OSHPD 3SE services on established CDPH approved operational requirements, OSHPD is not establishing a standard that is under the exclusive jurisdiction of another agency. (BSC Criterion 2)

CHA also believes the other BSC criteria are met under this code proposal:

Criterion 1 – do not conflict, overlap or duplicate other codes.

Criterion 6 – not ambiguous or vague.

Criterion 8 – meets appropriate format.

Criterion 9 – does not conflict with SFM standards.

It is for the above reasons that the California Hospital Association supports the adoption of the proposed OSHPD 3SE amendments.

CHA believes the proposed regulations meet the California Building Standards Commission 9-Point Criteria.